

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR00-603-RSL
Plaintiff,)
v.)
JOSE MATEO,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An evidentiary hearing on supervised release revocation in this case was scheduled before me on August 16, 2007. The United States was represented by AUSA Ronald J. Friedman and the defendant by Paula S. Deutsch. The proceedings were digitally recorded.

Defendant had been sentenced on or about May 11, 2001 by the Honorable Robert S. Lasnik on a charge of Manufacture of Cocaine Base, and sentenced to 60 months custody, 5 years supervised release.

The conditions of supervised release included the standard conditions plus the requirements that defendant be prohibited from possessing any firearms, submit to search, participate in drug testing and treatment, abstain from alcohol, provide access to financial information, and not re-

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01 enter the United States without permission. (Dkt. 27, pg. 4.)

02 On February 23, 2006, defendant's probation officer reported that defendant tested
03 positive for marijuana. Defendant was reprimanded, placed in a structured testing program with
04 increased frequency of testing, and referred for counseling, and no further action was taken at the
05 time. (Dkt. 34.)

06 On June 20, 2006, the conditions of supervision were modified to require residence in and
07 satisfactory participation in a community corrections center for up to 120 days. (Dkt. 37.)

08 In an application dated April 20, 2007 (Dkt. 38), U.S. Probation Officer Margaret K.
09 Kellow alleged the following violations of the conditions of supervised release:

10 1. Possessing "crack cocaine" on or about April 4, 2007, in violation of the general
11 condition that he not illegally possess a controlled substance.

12 2. Associating with three individuals engaged in criminal activity on or about April
13 4, 2007, in violation of standard condition #9.

14 In an application dated May 8, 2007 (Dkt. 47), U.S. Probation Officer Margaret K. Kellow
15 alleged an additional violation of the conditions of supervised release, which was incorporated
16 with the previously reported violations:

17 3. Committing the crime of distribution of cocaine and being charged with Violation
18 of the Uniform Controlled Substance Act (VUCSA), following his arrest on April 4, 2007, in
19 Seattle, Washington, in violation of the general condition that he not commit a federal, state or
20 local crime.

21 Defendant was advised in full as to those charges and as to his constitutional rights.

22 Defendant admitted the alleged violations and waived any evidentiary hearing as to

01 whether they occurred. (Dkt. 52.)

02 I therefore recommend the Court find defendant violated his supervised release as alleged,
03 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
04 set before Judge Lasnik.

05 Pending a final determination by the Court, defendant has been detained.

06 DATED this 16th day of August, 2007.

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Mary Alice Theiler
United States Magistrate Judge

11 cc: District Judge: Honorable Robert S. Lasnik
12 AUSA: Ronald J. Friedman
13 Defendant's attorney: Paula S. Deutsch
14 Probation officer: Margaret K. Kellow
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